

## **Membership Balance Plan for the Labor Advisory Committee for Trade Negotiations and Trade Policy**

### **1. Name:**

Labor Advisory Committee for Trade Negotiations and Trade Policy.

### **2. Authority:**

The Committee is established pursuant to section 135(c)(1) and (2) of the Trade Act of 1974, 19 U.S.C. 2155(c)(1) and (2), as amended by section 1103 of the Trade Agreements Act of 1979, Pub. L. 96-39, 93 Stat. 308, section 1631 of the Omnibus Trade and Competitiveness Act of 1988, Pub. L. 100-418, 102 Stat. 1264; and Executive Order 11846 of March 27, 1975, 3 C.F.R., 1971-1975 Comp., 971 (which delegates certain Presidential responsibilities conferred in section 135 of the Trade Act of 1974 to the United States Trade Representative) and in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

### **3. Mission/Function:**

The Committee shall provide information and advice to the Secretary of Labor and the United States Trade Representative with respect to: a) negotiating objectives and bargaining positions before the United States enters into a trade agreement with a foreign country or countries; b) the operation of any trade agreement once entered into; and c) other matters arising in connection with the development, implementation, and administration of the trade policy of the United States.

### **4. Points of View:**

The Committee shall consist of 30 members, jointly appointed by the Secretary of Labor and the United States Trade Representative. All members shall be representative members. Members may serve a term not to exceed the term of the current charter.

Members should have experience and/or interest in labor issues so that they are able:

a. to advise, consult with, and make recommendations to the Secretary of Labor and the United States Trade Representative jointly, on issues and general policy matters concerning labor and trade negotiations, the operation of any trade agreement once entered into, and other matters arising in connection with the administration of the trade policy of the United States;

b. to provide reports on trade agreements to the President, the Congress, and the Office of the United States Trade Representative at the conclusion of negotiations for each trade agreement; and

c. to perform such other advisory functions relevant to trade negotiations as may be required by the United States Trade Representative or the Secretary of Labor and the U.S. Trade

Representative jointly, or their designees.

The advisory functions described under (a), (b), and (c) above shall be performed in connection with the preparatory phase of trade negotiations and with respect to developments arising during the course of negotiations, as well as after a trade agreement is in force.

#### **5. Other Balance Factors:**

Membership on the Committee will be fairly balanced. Members are representatives from the labor community, normally national or international presidents who represent the interest of their members, and more generally the interests of U.S. workers. Members represent a comprehensive range of workers in a wide range of economic sectors that are directly and indirectly affected by international trade policy. The Office of the United States Trade Representative and the Department of Labor have sought to streamline and consolidate the membership of the Labor Advisory Committee to accurately reflect the composition of the American workforce. Within the scope of the Committee's objectives and activities, the need to obtain divergent points of view on the issues before the Committee is of great importance to the development of the Committee's recommendations.

To the extent permitted by FACA and other laws, Committee membership should also be consistent with achieving the greatest impact, scope, and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation, and gender identity.

#### **6. Candidate Identification Process:**

The Secretary of Labor and the United States Trade Representative work in conjunction to propose candidates for the Committee. As such they take into consideration the mission and function of the Committee, as well as points of view, and other balancing factors to ensure a wide variety of experience and viewpoints necessary for its advisory role.

In addition, the Department of Labor and the Office of the United States Trade Representative will review all proposed candidates through their respective internal vetting processes to assure compliance with all legal and ethical requirements.

#### **7. Subcommittee Balance: N/A**

#### **8. Other: N/A**

#### **9. Date Prepared: April [FILL in], 2012**

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